

A G E N D A

Northern Area Planning Sub- Committee

Date: **Tuesday, 24th April, 2007**

Time: **2.00 p.m.**

Place: **The Council Chamber,
Brockington, 35 Hafod Road,
Hereford**

Notes: Please note the **time, date** and **venue** of
the meeting.

For any further information please contact:

*Pete Martens, Members' Services,
Tel 01432 260248*

e-mail pmartens@herefordshire.gov.uk

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Northern Area Planning Sub-Committee

To: Councillor J.W. Hope MBE (Chairman)
Councillor K.G. Grumbley (Vice-Chairman)

Councillors B.F. Ashton, Mrs. L.O. Barnett, W.L.S. Bowen, R.B.A. Burke, P.J. Dauncey, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, R.V. Stockton, J. Stone and J.P. Thomas

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES To approve and sign the Minutes of the meeting held on 20th March, 2007.	1 - 8
4. ITEM FOR INFORMATION - APPEALS To note the contents of the attached report of the Head of Planning Services in respect of appeals for the northern area of Herefordshire.	9 - 12
5. TREE PRESERVATION ORDER 529, LARKRISE, KNAPP LANE, LEDBURY To consider the representations made in relation to the making of a provisional Tree Preservation Order upon trees in the grounds of Larkrise, Knapp Lane, Ledbury and determine whether to confirm the Order. Ward: Ledbury	13 - 16
6. APPLICATIONS RECEIVED To consider and take any appropriate action in respect of the planning applications received for the northern area of Herefordshire, and to authorise the Head of Planning Services to impose any additional and varied conditions and reasons considered to be necessary. Plans relating to planning applications on this agenda will be available for inspection in the Council Chamber 30 minutes before the start of the meeting. Agenda item 7 was deferred at the last meeting and items 8 - 12 are new applications.	

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|-----|--|---------|
| 7. | <p>DCNW2006/3978/F - STEEL PORTAL FRAMED PRODUCTION AND STORAGE BUILDINGS, LORRY PARK, ALTERATIONS TO INTERNAL ROADWAYS AND NEW ACCESS AT KINGSPAN INSULATIONS LTD, TORVALE INDUSTRIAL ESTATE, PEMBRIDGE, HEREFORDSHIRE</p> <p>For: Kingspan Insulations Ltd, Supercraft, Shobdon Airfield, Shobdon, Leominster, Herefordshire, HR6 9NR</p> <p>Ward: Pembridge & Lyonshall with Titley</p> | 17 - 26 |
| 8. | <p>DCNE2006/4018/F - PROPOSED TRACK AND CAR PARK TO ALLOTMENT SITE AT FIELD NO'S 0363 AND 0824 OFF ROSS ROAD, LEDBURY (OPP RUGBY CLUB)</p> <p>For: Ledbury Allotment Association per Mr R Gardner, 123 Park Road, Barton Under Needwood, Staffordshire DE13 8DD</p> <p>Ward: Ledbury</p> | 27 - 34 |
| 9. | <p>DCNC2007/0623/F - PROPOSED HOUSING DEVELOPMENT TO CREATE SIX DWELLINGS AT THE BUNGALOW, RYELANDS ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8PE</p> <p>For: Mr & Mrs F Rooke</p> <p>Ward: Leominster South</p> | 35 - 40 |
| 10. | <p>DCNC2007/0715/F - CHANGE OF USE FROM STABLES TO DOG KENNELS FOR ANIMAL RESCUE CHARITY AT MEADOW BANK RIDING CENTRE, HAMNISH, LEOMINSTER, HEREFORDSHIRE, HR6 0QN</p> <p>For: Mrs C Smith, Linton Design, 27 High Street, Bromyard, Herefordshire, HR7 4AA</p> <p>Ward: Leominster South</p> | 41 - 44 |
| 11. | <p>DCNC2007/0665/RM - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF 6 DWELLINGS AT DOWNES GARAGE, 70A, SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JF</p> <p>For: Stephen Wicks Development Ltd, Stephen Funge Architectural Design Ltd, 38 Howard Close, Haynes, Bedfordshire, MK45 3QH</p> <p>Ward: Leominster South</p> | 45 - 50 |
| 12. | <p>DCNC2007 0861 F THE FORBURY RESIDENTIAL HOME CHURCH ST LEOMINSTER</p> <p>For: Mr C Lutton per Mr N La Barre, Easters Court, Leominster, Herefordshire, HR6 0DE</p> <p>Ward: Leominster South</p> | 51 - 56 |

13. DATE OF NEXT MEETING

To note that the date of the next meeting is ***Tuesday 29th May, 2007 at 2:00 pm***

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Northern Area Planning Sub-Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday, 28th March, 2007 at 2.00 p.m.

Present: Councillor J.W. Hope MBE (Chairman)
Councillor K.G. Grumbley (Vice Chairman)

Councillors: B.F. Ashton, R.B.A. Burke, P.J. Dauncey, Mrs. J.P. French, J.H.R. Goodwin, P.E. Harling, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, R.M. Manning, R. Mills, R.J. Phillips, D.W. Rule MBE, J. Stone and J.P. Thomas

159. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs LO Barnett, RV Stockton and WLS Bowen.

160. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

161. MINUTES

RESOLVED: That the Minutes of the meeting held on 28th February, 2007 be approved as a correct record and signed by the Chairman.

162. ITEM FOR INFORMATION - APPEALS

The Sub-Committee noted the Council's current position in respect of planning appeals for the northern area of Herefordshire.

163. APPLICATIONS RECEIVED

The Sub-Committee considered the following planning applications received for the Northern Area of Herefordshire and authorised the Head of Planning Services to impose any additional or varied conditions and reasons which he considered to be necessary.

164. DCNW2006/3816/F - RETROSPECTIVE APPLICATION FOR CHANGE OF USE FOR SITING OF RESIDENTIAL CARAVAN MOBILE HOME AT THE GARDEN, NUTFIELD COTTAGE, BEARWOOD, PEMBRIDGE, HEREFORDSHIRE, HR6 9EF

The Development Control Manager said that letters had been received about the work being undertaken by the applicant and giving support to the application, but that there had not been sufficient evidence provided to support it. He suggested therefore that if it was necessary to undertake enforcement action, this would be done sensitively and in consultation with the Local Ward Member.

Councillor RJ Phillips the Local Ward Member disagreed with the views of the

Pembridge Parish Council that there was not an agricultural need for the application. He said that the applicant had been involved in local agricultural activities for many years and that he had encountered difficulties in finding affordable accommodation to remain near to his work. Councillor Phillips was of the view that this was a genuine case and that the application met the functionality test, pointing out that the changing nature of agriculture had led to a strong local need for a 'mobile' agricultural worker who would be available for different farms in the area. He suggested that a temporary three-year consent should be granted to enable time for the need to be tested and confirmed. The Development Control Manager said that if the application was granted on this basis, he would not need to refer the matter to the Head of Planning Services because it would enable a judgement to be made on whether the proposal fulfilled the Council's planning policies.

Having considered the details of the application, the Sub-Committee was in favour of granting a temporary permission.

RESOLVED:

- That (i) The Northern Area Planning Sub-Committee is minded to approve the application for a temporary period of three years, subject to any conditions felt to be necessary by the Development Control Manager, provided that the Head of Planning Services does not refer the application to the Planning Committee.**
- (ii) If the Head of Planning Services does not refer the application to the Planning Committee, Officers named in the Scheme of Delegation to Officers be instructed to approve the application subject to such conditions referred to above.**

[Note: Following the vote on this application, the Development Control Manager confirmed that he would not refer the application to the Head of Planning Services.]

165. DCNW2006/3978/F - STEEL PORTAL FRAMED PRODUCTION AND STORAGE BUILDINGS, LORRY PARK, ALTERATIONS TO INTERNAL ROADWAYS AND NEW ACCESS AT KINGSPAN INSULATIONS LTD, TORVALE INDUSTRIAL ESTATE, PEMBRIDGE, HEREFORDSHIRE.

Councillor RJ Phillips the Local Ward Member felt that the application had a number of merits but that it needed to be balanced with its impact on the local community. He said that it was essential for the highway improvements referred to in the planning obligation to include off street parking to serve the local school. The Sub-Committee supported this view and it was generally felt that there should be further discussion with the applicants about the contribution to be made by them.

RESOLVED

that consideration of the application be deferred pending further negotiation with the applicants to increase the contribution payable by them regarding the planning obligation under Section 106 of the Town and Country Planning Act.

166. DCNE2007/0307/F - THREE NEW HOLIDAY LODGES AT WOODSIDE LODGES COUNTRY PARK, FALCON LANE, LEDBURY, HEREFORDSHIRE, HR8 2JN

In accordance with the criteria for public speaking Mr Davis spoke in favour of his application.

RESOLVED

that planning permission be granted subject to the following conditions:

- 1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking and re-enacting that Order with or without modification) no development normally permitted by Classes A, B, C, D, E and F of Part 1 and Class A of Part 2 of Schedule 2 of Article 3 of the General Permitted Development Order 1995 shall be carried out.

Reason: To safeguard the character and appearance of the countryside.

- 3 - Prior to commencement of the development hereby permitted full written details and samples of the materials to be used on the external surfaces of the building hereby permitted shall be submitted to the Local Planning Authority for their written approval. The development shall not commence without the prior written consent of the Local Planning Authority. The development shall be carried out in full accordance with the approved details and thereafter maintained as such.

Reason: To ensure a satisfactory appearance to the development.

- 4 - The dwelling house hereby permitted shall only be used for holiday purposes by tourists. No person or group of persons shall occupy the dwelling house for more than 28 days in any calendar year and shall not be occupied by any one person or group of persons for more than 156 days in any one calendar year.

The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the dwelling house hereby permitted and of their main home address (i.e. place of residence) and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development hereby permitted is not used as a permanent unrestricted dwelling house contrary to Development Plan policies.

- 5 - Prior to commencement of the development hereby permitted the applicant or any person(s) carrying out the development hereby permitted shall submit to the Local Planning Authority in respect of a scheme of landscaping indigenous species. The landscaping shall include indications of all existing trees and hedgerows on the land, and details of any to be retained. The submitted scheme of landscaping

must include details as to the location of all planting, their species and the density of planting. The development shall not commence until the landscaping scheme has been approved in writing by the Local Planning Authority.

Reason: To ensure that the development integrates appropriately within the wider landscape.

- 6 - All planting comprised in the approved details of landscaping shall be carried out in the first planting season following completion of the development hereby permitted or the first use of any of the tourist lodges. Any trees or plants which within a period of five years of their planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the development integrates appropriately within the wider landscape.

- 7 - Prior to commencement of the development hereby permitted, full written details of all external lighting to be installed upon the site (if any) shall be submitted to the Local Planning Authority for their written approval. No external lighting shall be installed upon the site without the prior written consent of the Local Planning Authority. The approved external lighting shall be installed in full accordance with the approved details and thereafter maintained in accordance with those details.

Reason: To safeguard the character and appearance of the area.

Informatives:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 2 - For the avoidance of any doubt the plans to which this decision relate are:
- Proposed Site Plan (Scale 1:1250) - Drawing Number LSV 330/02 received 29th January 2007;
 - Proposed Site Plan, Floor Plans and Elevations (Scales 1:500 and 1:100) - Drawing Number LSV 300/20 received 29th January 2007;
 - Existing Site Plan, Block Plan and Elevations (Scales 1:5000 and 1:1250) - Drawing Number LSV 300/01 received 29th January 2007.

167. DCNE2006/3843/F - SITING OF A MOBILE HOME FOR AN AGRICULTURAL WORKER AT THE SPONEND FARM, FROMES HILL, LEDBURY, HEREFORDSHIRE, HR8 1HT.

In accordance with the criteria for public speaking, Mr Wall the agent acting on behalf of the applicant spoke in favour of the application.

RESOLVED

that planning permission be granted subject to the following conditions:

1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 - Within 2 months of the date of this permission, details of the mobile home hereby approved shall be submitted to and approved in writing by the local planning authority. Details shall include:

Elevations at a scale of 1:50 or 1:100;
Floor plans at a scale of 1:50 or 1:100;
Details of the external materials and finish thereto.

Development shall be carried out in accordance with the agreed details and not changed thereafter.

Reason: In the interests of visual amenity.

3 - E28 (Agricultural occupancy)

Reason: It would be contrary to Development Plan policies to grant planning permission for a dwelling in this location except to meet the expressed case of agricultural need.

4 - E23 (Temporary permission (3 years) and reinstatement of land (mobile home/caravan))

Reason: The local planning authority is not prepared to permit a residential mobile home in this location other than on a temporary basis having regard to the special circumstances of the case.

5 - G04 (Landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

6 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

Informative:

N15 - Reason(s) for the Grant of PP/LBC/CAC

168. DCNE2006/4028/F - PROPOSED LIVESTOCK BUILDING AT THE SPONEND FARM, FROMES HILL, LEDBURY, HEREFORDSHIRE, HR8 1HT

In accordance with the criteria for public speaking, Mr Wall the agent acting on behalf of the applicant spoke in favour of his application.

RESOLVED

that planning permission be granted subject to the following conditions:

- 1 - A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 - B10 (Details of cladding (agricultural and industrial buildings))**

Reason: To minimise the visual impact of the development.

- 3 - G04 (Landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 4 - G05 (Implementation of landscaping scheme (general))**

Reason: In order to protect the visual amenities of the area.

- 5 - F48 (Details of slab levels)**

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

Informative:

- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

169. DCNC2007/0404/F - ALTERATIONS AND EXTENSION TO EXISTING DWELLINGS TO FORM 3 NO. COTTAGES AT TREWEN HOUSE, NEW STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8DP

RESOLVED

that planning permission be granted subject to the following conditions:

- 1 - A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2 - B02 (Matching external materials (extension))**

Reason: To ensure the external materials harmonise with the existing building.

- 3 - E19 (Obscure glazing to windows and to be maintained as such in perpetuity)

Reason: In order to protect the residential amenity of adjacent properties.

- 4 - H29 (Secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

- 5 - The third dwelling hereby approved shall not be occupied until essential improvement works to the public sewerage system have been completed and the local planning authority advised of this in writing, or until 1st April 2008 whichever is the sooner.

Reason: To mitigate the existing hydraulic overloading of the public sewerage system.

Informatives:

N15 - Reason(s) for the Grant of PP/LBC/CAC

170. DATE OF NEXT MEETING

Tuesday 24th April, 2007

The meeting ended at 2.40 p.m.

CHAIRMAN

ITEM FOR INFORMATION - APPEALS

APPEALS RECEIVED**Application No. DCNC2006/3983/F**

- The appeal was received on 28th March 2007
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Preservation
- The site is located at Forbury Chase, Sherford Street, Bromyard, Herefordshire
- The development proposed is Proposed retention and conversion of existing school house to residential
- The appeal is to be heard by Written Representations

Case Officer: Andrew Banks on 01432 383085

Application No. DCNW2006/3821/F

- The appeal was received on 29th March 2007
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mr & Mrs G Ward
- The site is located at Leapyards, Stretford, Monkland, Herefordshire, HR6 9DG
- The development proposed is Proposed two storey rear extension, side conservatory and new vehicular access
- The appeal is to be heard by Written Representations

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNW2007/0066/F

- The appeal was received on 30th March 2007
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal is brought by Mrs R Hall
- The site is located at Land to the rear of Terracotta barn, East Street, Pembridge, Leominster, Herefordshire, HR6 9HB
- The development proposed is Proposed construction of a pair of semi-detached cottages.
- The appeal is to be heard by Written Representations

Case Officer: Philip Mullineux on 01432 261808

APPEALS DETERMINED**Application No. DCNW2006/1085/F**

- The appeal was received on 30th November 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr & Mrs Fox

Further information on the subject of this report is available from the relevant Case Officer

- The site is located at Lawton Hall, Eardisland, Leominster, Herefordshire, HR6 9AX
- The application, dated 31st March 2006, was refused on 30th May 2006
- The development proposed was Conversion of byre to residential
- The main issue is whether the works amount to major reconstruction and whether the various uses are compatible with one another.

Decision: The appeal was UPHeld on 21st March 2007

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNW2006/1104/F

- The appeal was received on 30th November 2006
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by Mr & Mrs Fox
- The site is located at Byre, Lawton Hall, Eardisland, Leominster, Herefordshire, HR6 9AX
- The application, dated 31st March 2006, was refused on 30th May 2006
- The development proposed was Conversion of byre to residential
- The main issue is whether the works amount to major reconstruction and whether the various uses are compatible with one another.

Decision: The appeal was DISMISSED on 21st March 2007

Case Officer: Philip Mullineux on 01432 261808

Application No. DCNC2004/0321/F

- The appeal was received on 10th August 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission
- The appeal was brought by S & A Property Ltd
- The site is located at Brierley Court Farm, Brierley, Leominster, Herefordshire, HR6 0NU
- The application, dated 6th February 2004, was refused on 12th May 2004
- The development proposed was Construction of amenity building, toilet buildings and site works for 300 units caravan standing for farm workers accommodation.
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

Decision: The appeal was DISMISSED on 3rd November 2005

The appeal was DISMISSED (by the Secretary of State) on 11th April 2007

Case Officer: Mark Tansley on 01432 261956

Application No. DCNC2004/0902/F

- The appeal was received on 10th August 2004
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission

Further information on the subject of this report is available from the relevant Case Officer

- The appeal was brought by S & A Property Ltd
- The site is located at Brierley Court Farm, Brierley, Leominster, Herefordshire, HR6 0NU
- The application, dated 24th March 2004, was refused on 17th May 2004
- The development proposed was Proposed sewage treatment plant and pumping station
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

Decision: The appeal was DISMISSED on 3rd November 2005
The appeal was DISMISSED (by the Secretary of State) on 11th April 2007

Case Officer: Mark Tansley on 01432 261956

Enforcement Appeal No. EN2004/0026/ZZ.

- The appeal was received on 30th September 2004
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by S and A Property Ltd
- The site is located at Brierley Court Farm, Brierley, Leominster
- The breach of planning control alleged in this notice is:
Without planning permission the erection of a single-storey building, hardstanding and water, electricity and sewage connections ("the works")
- The requirements of the notice are:
 - Totally remove the single-storey building, hardstanding and all associated connections (including in each case all associated works and equipment) without causing additional harm to the agricultural quality or archaeological potential of the land to which this notice relates.*
 - Remove from the land all building materials and rubble resulting from compliance with requirement (1).*
 - Restore the land to its condition before the breach took place by levelling the ground re-seeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.*
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

Decision: The appeal was DISMISSED on 3rd November 2005
The appeal was DISMISSED (by the Secretary of State) on 11th April 2007
The Enforcement Notice was UPHELD with corrections

Case Officer: Mr Mark Tansley on 01432 261956

Enforcement Appeal No. EN2004/0028/ZZ.

- The appeal was received on 30th September 2004
- The appeal is made under Section 174 of the Town and Country Planning Act 1990 against the service of an Enforcement Notice
- The appeal is brought by S and A Property Ltd
- The site is located at land at Brierley Court Farm, Brierley, Leominster

Further information on the subject of this report is available from the relevant Case Officer

- The breach of planning control alleged in this notice is
Without planning permission the installation of a sewage-treatment plant, pumping station and hardstanding on the land together with associated connections from caravans in an adjoining field ("the associated connections")
- The requirements of the notice are:
 - i) *Totally remove the sewage-treatment plant, the pumping station, the hardstanding and all associated connections (including in each case all associated works and equipment) without causing additional harm to the agricultural quality or archaeological potential of the land to which the notice relates.*
 - ii) *Remove from the land all building materials and rubble resulting from compliance with requirement (1).*
 - iii) *Restore the land to its condition before the breach took place by levelling the ground, re-seeding it with grass and such other work as is necessary to return its agricultural land quality to at least that which it formerly had.*
- The main issues are the accordance with the development plan for the area; the effect of the development on the character and appearance of the rural area; and whether there is justifiable need for the development.

Decision: The appeal was DISMISSED on 3rd November 2005
The appeal was DISMISSED (by the Secretary of State) on 11th April 2007
The Enforcement Notice was UPHELD with corrections

Case Officer: Mark Tansley on 01432 261956

If members wish to see the full text of decision letters copies can be provided.

TREE PRESERVATION ORDER 529, LARKRISE, KNAPP LANE, LEDBURY

Report By: Head of Planning Services

Wards Affected

Ledbury

1. Purpose

- 1.1 To consider the representations made in relation to the making of a provisional Tree Preservation Order upon trees in the grounds of Larkrise, Knapp Lane, Ledbury and determine whether to confirm the order.

2. Order Description and Details

- 2.1 This Order concerns 3 individual trees and 2 groups of various species of trees within the grounds of Larkrise. They are as follows:
 T1 – Douglas Fir (*Pseudotsuga menziesii*)
 T2 – Douglas Fir (*Pseudotsuga menziesii*)
 T3 – Silver Birch (*Betula pendula*)
 G1 – 3 Silver Birch, 1 Field Maple (*Acer campestre*), 1 Copper Beech (*Fagus sylvatica* 'Purpurea'), 1 Cherry (*Prunus spp.*)
 G2 – 1 Yew (*Taxus baccata*), 1 Sweet Chestnut (*Castanea sativa*)
- 2.2 The Order was made on 23rd November 2006
- 2.3 The Council's tree amenity valuation rating scored these individual trees and groups with values between 17 and 19 (the benchmark rating for inclusion within a TPO is 15). Their particular characteristics included – their maturity, form, prominent position adjacent to a well-used lane and their contribution to the overall composition of Knapp Lane.
- 2.4 The site is located to the north-east of the centre of Ledbury, within the settlement boundary. Knapp Lane rises steeply from the A438 (The Home End) towards the lower western slopes of the Malvern Hills. To the north of the site is the steep cutting of the Ledbury to Malvern rail line. The surrounding area is sparsely developed, soon developing into open/wooded country further to the north-east. To the east of the site is 'Dog Hill Wood'; a popular recreational woodland owned and managed by Ledbury Town Council. Immediately to the north of the site runs an unadopted lane which is a public right of way frequently used for recreational access to countryside to the north of the town.
- 2.5 This site was the subject of an outline planning application DCNE2006/3296/O to erect two additional dwellings within the grounds of the property. The application was refused on 8th December 2006 under delegated powers.

3. Background

- 3.1 The Council was alerted to the possible threat to the trees by the outline planning application proposing development on the site. The Order was made under emergency procedures in accordance with section 198, 201 & 203 of the 1990 Town and Country Planning Act.

4. Policies

- 4.1 Herefordshire Unitary Development Plan states:-

“Policy LA5 Protection of trees, woodlands and hedgerows

The enhancement and protection of individual trees, tree groups, woodlands and hedgerows will be secured by:

- 1. placing Tree Preservation Orders where necessary on trees, groups of trees and woodlands of amenity value, and making use of hedgerow protection legislation;**
- 2. resisting proposals that would cause loss or damage to trees, hedgerows or woodlands which are worthy of retention. In particular proposals affecting protected trees will be subject to rigorous examination and only permitted where the development is in the public interest. Where the felling of protected trees is accepted replacement planting will be sought;”**

5. Representations

- 5.1 A letter of objection has been received from Mr B. Lewis of DLP Planning Ltd. who as agents to the owner of the site submitted the outline application for permission to develop the site. The objection relates only to one tree, the Cherry, within G1. The grounds of objection are that the tree has a limited life expectancy (10-20 years) and that the preservation of the tree *“...does not contribute to the future well-being or setting of those other trees within group G1 of the TPO...”* that the *“...proximity and canopy encroachment upon other nearby trees somewhat threatens the potential setting of these trees.”* The objection goes on to suggest that following the omission of this tree group G1 should be subdivided into two separate groupings of trees.
- 5.2 A letter supporting the making of the order has been received from the owners of the neighbouring property ‘Walden’, Knapp Lane, Ledbury.

6. Officer Appraisal

- 6.1 The trees proposed for protection are located to the west and east of the existing property and had been identified for felling in the submitted planning application. The planning application was supported by an independent arboricultural assessment of the trees using British Standard BS3827: Trees in relation to construction, 2005. This assessment also indicated that the trees proposed for inclusion in the order were worthy of retention.
- 6.2 This Tree Preservation Order was made in response to a planning application on a plot on the edge of the town, on a site bounded by trees. Any development in this area would seriously jeopardise the health and well being of these trees. Trees would either have to be removed to facilitate development or would be put under pressure

to be removed because of their proximity to the proposed development. Development of this site would also require considerable areas of hard standing, which would restrict the rooting area of the tree. This would invariably lead to a decline in the health of the trees, leading to concerns as to the trees' stability.

- 6.3 Specifically, the objection to the inclusion of the Cherry in group G1 is based on the age of the tree and the crown conflicting with neighbouring trees. Whilst it is acknowledged that the tree is a mature specimen this has been taken into consideration in the amenity assessment carried out and it is considered that the ongoing contribution made by the tree justifies its' inclusion in the order. Often it is not the impact of an individual tree but the overall effect of a group or number of trees that have the greatest amenity value and in this respect the contiguous crowns in group G1 are not considered to be a detrimental to the setting of these trees. Should the Cherry referred to in the objection to this order expire before neighbouring trees there is a duty on the owner to plant a replacement tree.
- 6.4 The trees in question are ideally suited to the size and scale of domestic development in which they grow. They are considered to make a significant contribution to the public amenity of the area and are in good general health and condition.
- 6.5 There is no right of appeal against the confirmation of a Tree Preservation Order, however an application can be made to lop or fell under the Order and if the Council refuse this then the applicant can appeal to the Secretary of State.

RECOMMENDATION

THAT Tree Preservation Order no.529 at Larkrise, Knapp Lane, Ledbury be confirmed.

7 DCNW2006/3978/F - STEEL PORTAL FRAMED PRODUCTION AND STORAGE BUILDINGS, LORRY PARK, ALTERATIONS TO INTERNAL ROADWAYS AND NEW ACCESS AT KINGSPAN INSULATIONS LTD, TORVALE INDUSTRIAL ESTATE, PEMBRIDGE, HEREFORDSHIRE

For: Kingspan Insulations Ltd, Supercraft, Shobdon Airfield, Shobdon, Leominster, Herefordshire, HR6 9NR

Date Received:
14th December 2006

Ward:
Pembridge &
Lyonshall with Titley

Grid Ref:
39094, 60096

Expiry Date:
15th March 2007

Local Member: Councillor RJ Phillips

UPDATE

Members raised concern with regards to the highway impact in Shobdon and requested further negotiation. It has now been agreed that a sum of £30,000 will be contributed by Kingspan. The Head of Terms will be amended accordingly and shall also include reference to the new 'Shobdon School Car Park' which will use some of these funds.

1. Site Description and Proposal

- 1.1 The site is located within the boundary defined as Shobdon Aerodrome, located on the eastern side of road no. C1032 which runs between Shobdon and Pembridge.
- 1.2 The boundaries of the site are defined to the south east by an access road to other industrial units on the airfield and to the north by existing industrial units.
- 1.3 Planning permission is sought for a an extension to the existing buildings to provide additional storage capacity for the increased range of products now being produced as a result of the new Building Regulation standards. The first building is an extension to the existing production building and is located in the centre of the site. This would provide measure 145m x 45m . The roof height reflects that of the adjacent building. Building 2 is an extension to the Hanger that lies to the North of the site. This building would have a floor area of 50 m by 100m and a roof height matching the adjoining building. Building 2 would provide additional storage. These extensions are confined within the concentration of employment generating buildings within Shobdon Aerodrome.
- 1.4 As part of the application a revision to the main access onto the C1032 is also proposed. This has been amended once during the application process. A new lorry park and some revisions to the internal road layout is also proposed. The application has been accompanied by a Road Safety Audit.

2. Policies

2.1 Unitary Development Plan (Revised Deposit Draft)

S4 - Employment
DR1 - Design
DR2 – Land Use and Activity
DR14 - Noise
E6 – Expansion of Existing Businesses
E8 – Design Standards for Employment sites

3. Planning History

- 3.1 DCNW2006/2389/F - Proposed extension to production building (building 1) and extension to storage building (building 2). Lorry park and new access to south of site - withdrawn
- 3.2 DCNW2006/2415/F - Sewage pump chamber.- approved 13th Sept 2006.
- 3.3 DCNW2005/ /3405/f - erection of warehouse extension, new canopy, single storey amenity block- Approved 7th April 2006.
- 3.4 DCNW2005/2210/F - Proposed loading canopy - Approved 12 August 2005
- 3.5 DCNW2005/0998/F - Proposed unit extension (263sqm) _ Approved 12 August 2005
- 3.6 DCNW2004/1446/F - Refurbishment of industrial unit, demolition of existing buildings, re-surfacing of lorry parking and provision of car parking - Approved 29 June 2004
- 3.7 DCNW2003/3852/F - Two-storey extension to existing office block - Approved 6 February 2004
- 3.8 DCNW2003/1946/F - Extension to covered store, two-storey amenity block and 20m extension to building approved in application no. NW2002/1122/F - Approved 4 February 2003
- 3.9 DCNW2003/1535/F - Refurbishment and two-storey extension to existing office block - Approved 14 July 2003
- 3.10 NW2003/0117/F - Warehouse extension to existing planning permission no N98/0529/N - Approved 13 March 2003
- 3.11 NW2002/1122/F - Refurbishment and extension of existing industrial buildings to provide additional warehouse and production space with ancillary officer - Approved 23 September 2002
- 3.12 NW2002/0692/F - Refurbishment of an existing unit to be used to house machinery - Approved 22 May 2002
- 3.13 NW2001/3330/F - Variation of approved plants to NW2001/0788/F to allow a revised footprint plus additional area - Approved 5 February 2002
- 3.14 NW2001/3332/F - Erection of a single storey covered store to existing factory - Approved 28 January 2002

- 3.15 NW2001/2462/F - Erection of a three-storey office block and ancillary additional car parking area - Approved 12 November 2001
- 3.16 NW2001/0788/F - Extension to the factory - Approved 4 June 2001
- 3.17 NW2000/3165/F - Erection of a portacabin office accommodation - Granted 23 January 2001
- 3.18 N1998/0529/N - Warehouse extension, 5550 square metres covered loading bay extension housing a 390 sq. metre, two-storey office extension to existing unit - Granted 11 November 1998
- 3.19 97/0209/N - Construction of 51 m2 extension to existing workshop and first floor canteen with 2 no. windows - Granted 23 April 1997
- 3.20 95/0654/N - Construction of laboratory/toilet block - Granted 29 September 1995
- 3.21 94/0715 - Erection of office and associated car parking - Granted 18 January 1995
- 3.22 93/391 - Extension to existing hanger building - Granted 3 August 1993

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency - raises no objection to the proposed development as submitted.

Internal Consultees

- 4.2 The Transportation Manager requests a Section 106 Agreement for a £26,639 contribution which would offer mitigation towards the increase in HGV traffic generated by the proposal. A list of possible schemes to which this could contribute include:
- Junction improvements to B4362/C1032 junction - including possible re-alignment, traffic lights, pedestrian crossing facilities
 - Extend footway from Ledicot Lane to Cemetery
 - Improve direction and safety signing in area
 - C1031 Rhyse Lane, edge of carriageway strengthening/widening
 - Safe Routes to School in Shobdon, including footway provision/widening, speed limit reduction/extension of area, equipping "walking bus" etc
 - Cycle parking provision at school
 - Improvements to passenger waiting facilities at Shobdon/Mortimer's Cross

- 4.3 The Conservation Manager (Archaeology) has no objection in principle but is concerned by the ground disturbance in a sensitive location. The application site is within an area of particularly high potential for prehistoric remain. Just to the east is a significant group of Bronze Age burial mounds. Standard condition D01 should be attached to any planning permission.

5. Representations

- 5.1 Pembridge Parish Council has no objection to this application provided that::

- a) Any additional security lighting is angled downwards
- b) all drivers of HGV entering and leaving the site are made aware of using the agreed route and are not to travel through Pembridge Village.

- 5.2 Shobdon Parish Council has no objections .

"No objection to the site improvements, we favour SK10 for the access alterations as it would slow vehicles done. Although the report only considered Mortimers Cross junction we felt that the Pembridge/Presteigne junction at Shobdon should also have been included. We are also concerned at the 100% increase in HGVs and the environmental impact this will have on the village of Shobdon."

- 5.3 Titley Parish Council make the following comments:

"While no specific objections were noted, the Parish Council wished to draw to the Planning Department's attention the following:

1. *As shown in the planning documents submitted, a 100% increase in traffic movements is anticipated in the surrounding area;*
2. *In order to go some way to ameliorate the traffic problems and given the nature of roads in the area it was felt that Planners in consultation with the Highways department should ask the applicant for a significant contribution under Section 106 of the LA Acts towards road improvements and maintenance; and*
3. *Concerns have been raised in the past about light pollution of the surrounding area which have been recognised and certain remedial actions taken by the applicant; the Parish Council would like to draw the Planners attention to ensuring that in this subsequent phase of the plant's expansion, the same care and attention is given to making sure that lighting is directed into work areas and not dissipated around the surrounding countryside (this should also be environmentally friendly in terms of conserving energy and focussing artificial light where it's needed)."*

- 5.4 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The main issues for consideration in the appraisal of this application are as follows:

- a) Principle of development
- b) Highway safety and intensification of use
- c) Impact on the landscape and surrounding area

Of direct relevant to this application is Policy E5 of the Herefordshire Unitary Development Plan. Inset Map 53 of the UDP defines the area of Shobdon Airfield as 'safeguarded employment land' where employment-generating uses should be confined. The proposed extensions are located within the defined area of concentration. AS such new development within this area is acceptable in principle.

- 6.2 It is well accepted that the traffic movements that result from the Kingspan site cause local concern, especially in the village of Shobdon. As a result of this a Traffic Impact Assessment (safety audit) was submitted with the application, which confirms that Kingspan intend to increase the output of this plant by 25% over the next 4 – 5 years. This will mean that vehicle movements will increase by 100% as a result of the proposed extension and demands on Kingspan with the introduction of the new building regulations this year. The plant currently employs 350 personnel in total and the increase in staff is likely to be 5% maximum.
- 6.3 Since 2003 Kingspan has routed all of their HGV traffic through the new main entrance. All HGV traffic is currently directed away from Pembridge. The main entrance has restricted visibility and the change proposed improves this through the alteration of the layout and improved line marking. The proposed layout is considered acceptable and subject to engineering specifications being submitted (appropriate condition attached) the Transportation Manager is satisfied.
- 6.4 The Transportation Manger has also accepted that the highway network can cope with this increase if mitigation works are undertaken. A sum of £26,650.00 has been requested which will be used towards for one or more of the proposed schemes (As above). They are satisfied that this financial contribution would mitigate against the perceived harm caused by the increase in traffic movements. As such a Heads of Terms is included at the end of this report..
- 6.5 In relation to the laying of the lorry park and alteration of internal road layouts, these will improve the lorry manoeuvring space within the site. There is no impact externally.
- 6.6 The proposed extensions themselves are in keeping with the existing structures and buildings on site and will have little or no impact on the surrounding landscape or area. Concerns expressed by Pembridge Parish Council's and neighbouring Parish Councils, highlighted on this and previous applications have been noted. Landscape works have been undertaken as part of previous applications and further landscaping is not required. Further conditions will seek details of all external illuminations of the site in order to minimise sky glow.

RECOMMENDATION

- 1) **That The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to (set out heads of agreement) and any additional matters and terms as he considers appropriate.**
- 2) **Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions:**

- 3) That the officers named in the Scheme of Delegation to Officers be authorised to amend the above conditions as necessary to reflect the terms of the planning obligation.

1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 - A07 (Development in accordance with approved plans)

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 - B03 (Matching external materials (general))

Reason: To ensure the satisfactory appearance of the development.

4 - F21 (Scheme of surface water regulation)

Reason: To prevent the increased risk of flooding.

5 - F32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities.

6 - D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

7 - H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

8 - H17 (Junction improvement/off site works)

Reason: To ensure the safe and free flow of traffic on the highway.

9 - H18 (On site roads - submission of details)

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

10 - H19 (On site roads - phasing)

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

11 - H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

- 3) That the officers named in the Scheme of Delegation to Officers be authorised to amend the above conditions as necessary to reflect the terms of the planning obligation.

Informatives:

- 1 - HN01 - Mud on highway
- 2 - HN04 - Private apparatus within highway
- 3 - HN05 - Works within the highway
- 4 - HN10 - No drainage to discharge to highway
- 5 - HN22 - Works adjoining highway
- 6 - N15 - Reason(s) for the Grant of PP/LBC/CAC
- 7 - N19 - Avoidance of doubt

Note to Applicant

- i) This permission is granted pursuant to an agreement under Section 106 of the Town and Country Planning Act 1990.

Decision:

Notes:

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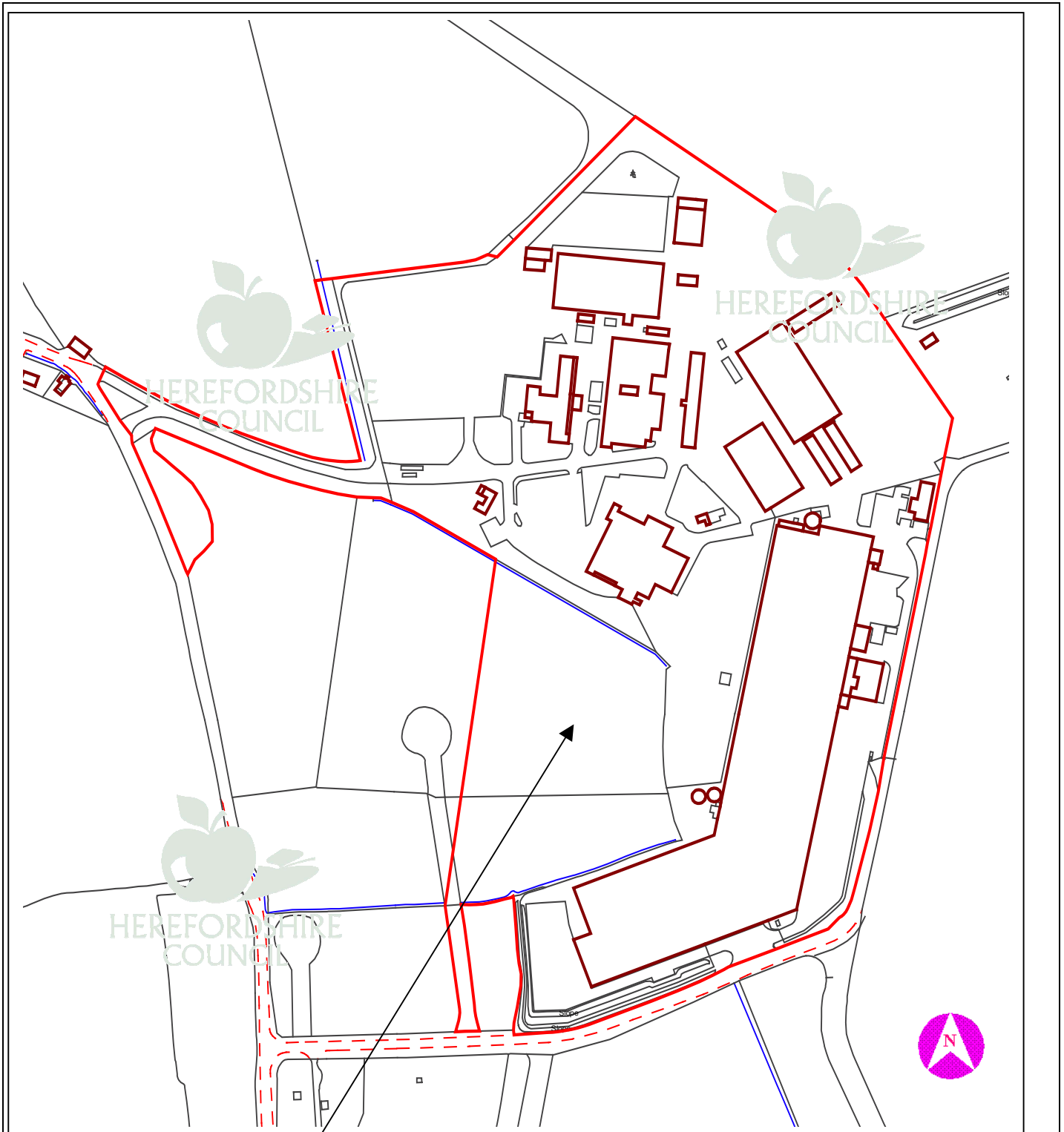
Background Papers

Internal departmental consultation replies.

DRAFT HEADS OF TERMS
Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990

Planning Application – DCNW2005/3405/F
Kingspan, Pembroge.

1. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £30,000 to provide transportation facilities to serve the development which sum shall be paid on or before the commencement of development.
2. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes:
 - a) Junction improvements to B4362/C1032 junction - including possible re-alignment, traffic lights, pedestrian crossing facilities
 - b) Extend footway from Ledicot Lane to Cemetery
 - c) Improve direction and safety signing in area
 - d) C1031 Rhyse Lane, edge of carriageway strengthening/widening
 - e) Safe Routes to School in Shobdon, including footway provision/widening, speed limit reduction/extension of area, equipping "walking bus" etc
 - f) Cycle parking provision at school
 - g) Improvements to passenger waiting facilities at Shobdon/Mortimer's Cross
 - h) Shobdon School car park
3. In the event that Herefordshire Council does not for any reason use the said sum of Clause 6 for the purposes specified in the agreement within 5 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof which has not been used by Herefordshire Council
4. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.



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APPLICATION NO: DCNW2006/3978/F

SCALE : 1 : 3816

SITE ADDRESS : Kingspan Insulations Ltd, Torvale Industrial Estate, Pembridge, Herefordshire

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8 DCNE2006/4018/F - PROPOSED TRACK AND CAR PARK TO ALLOTMENT SITE AT FIELD NO'S 0363 AND 0824 OFF ROSS ROAD, LEDBURY (OPP RUGBY CLUB)

**For: Ledbury Allotment Association per Mr R Gardner,
123 Park Road, Barton Under Needwood, Staffordshire
DE13 8DD**

Date Received:
21st December 2006

Ward: Ledbury

Grid Ref:
70080, 36511

Expiry Date:
15th February 2007

Local Members: Councillors PE Harling, BF Ashton & DW Rule MBE

1. Site Description and Proposal

- 1.1 The application site lies on the southern side of the Ross Road (A449) some 280 metres west of the settlement boundary of Ledbury. The site runs parallel to the meandering River Leadon to the east. The site lies within an area that is liable to flood.
- 1.2 The site is within the 'Riverside Meadows' landscape type as defined in the Herefordshire Landscape Character Assessment.
- 1.3 The Ledbury Allotments Association have the opportunity of acquiring a parcel of land amounting to approximately 4.43 acres some 800 metres to the south-west of the Ross Road. The use of land for allotments falls within the definition of 'agriculture' and as such does not require the benefit of planning permission. The application related development comprising:
 - The provision of a 3 metre wide access track with associated passing bays. This access track would have a single slight curve in it. It is envisaged that the access track would be constructed by excavating some 30cm of earth, laying 22.5 cm of Type 1 or hardcore sub-base and laying a 7.5 cm surface. The total length of this track would be in the region of 520 metres.
 - The provision of a car parking area accommodating sixteen cars.

2. Policies

2.1 Central Government advice

Planning Policy Statement 1 – 'Delivering Sustainable Development'
 Planning Policy Statement 7 – 'Sustainable Development in Rural Areas'
 Planning Policy Guidance Note 17 – 'Planning for Open Space, Sport and Recreation'
 PPS25 – 'Flood Risk'

2.2 Herefordshire Unitary Development Plan 2007

S1 – Sustainable Development
S6 - Transport
S8 – Recreation, sport and tourism
DR2 – Land use and activity
DR3 – Movement
DR4 – Environment
DR6 – Flood Risk
T6 – Walking
T7 – Cycling
T11 – Parking Provision
LA2 – Landscape Character
RST1 – Criteria for recreation, sport and tourism development

3. **Planning History**

3.1 None relevant.

4. **Consultation Summary**

Statutory Consultations

4.1 The Environment Agency has no objections to the proposed development. They have also confirmed that they would not object to appropriate planting within the floodplain.

Internal Council Advice

4.2 The Transportation Section does not object subject to the provision of a visibility splay of 2.4 metres x 160 metres in a south-westerly direction.

4.3 The Senior Landscape Officer objects to the proposed development. His views are reflected in the appraisal below.

5. **Representations**

5.1 The Town Council state: 'That due to the Town Council's financial interest in the provision of allotments, determination be deferred to Herefordshire Council's Planning Officers'.

5.2 The Campaign to Protect Rural England make qualified comments upon the application but do not object to the access track.

5.3 Fifteen letters of support have been received. In summary they make the following planning points:

- a) the Ledbury Allotments Association have been searching for a site since 2005;
- b) there is a need for allotments within the Ledbury area and the likelihood of finding a more appropriate site closer to the Town at an appropriate price is limited;
- c) the site is accessible by pedestrians and cyclists;
- d) there are currently no other sites available.

- 5.4 Bill Wiggin MP would like the Council to take into consideration the strong support for the proposal.
- 5.5 Garden Organic – The National Charity for organic farming supports the proposal.
- 5.6 The occupiers of two dwellings in the vicinity (Orlham Lane) object to the proposed development on the following summarised:
- Visual intrusion of the access road; and
 - The site is not readily accessible by modes of transport other than the private motor vehicle.
- 5.7 The agent for the applicant has submitted a supporting statement and a Flood Risk Assessment. The full contents of these documents and the letters referred to above can be inspected at the Council Offices.
- 5.8 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 There is clearly a need for an allotments site within the Ledbury area. Furthermore it is evident that the provision of allotments provides a valuable informal recreational resource. It is understood that the Ledbury Allotments Association have been seeking a site since 2005 (i.e. a period of 17 months). It is understood that five other sites have been investigated and discounted. No allocation of an appropriate site was sought through the Unitary Development Plan preparation process.
- 6.2 Nevertheless, where there is a demonstrated need for such a development / facility does not mean that it should be accepted by the Council at any environmental cost. The various planning matters considerations need to be weighed-up. This includes the environmental impact of the associated development that requires the benefit of planning permission.
- 6.3 In this particular case it is considered that there are two other planning considerations that need to be weighed against the need for a site to meet the need for allotments in the Ledbury area. These are: -
- The accessibility of the site to modes of transport other than the private motor vehicle; and
 - The landscape impact of the proposed access track.
- 6.4 In terms of accessibility of the site, it is accepted that the site is readily accessible by the private motor vehicle and by cyclists. However, the site of the proposed allotments is physically remote from the primary residential areas of Ledbury. In this regard it should be noted that the site of the allotments themselves is approximately 800 metres from the settlement boundary (i.e. the Ledbury by-pass). Accessible sites for pedestrians are normally considered to be a 400 metres walk distance. The site of the proposed allotments is also in excess of a 400 metre walk distance from any bus stop, although it is accepted that in reality allotments users are unlikely to arrive by bus.

- 6.5 Given the inaccessibility of the site by pedestrians, it is considered that the location of the proposed site would create undue reliance upon the private motor vehicle and thus represents an unsustainable pattern of development, contrary to both Central Government advice and Development Plan policies.
- 6.6 In terms of landscape impact, the first point to note is that the provision of the 2.4 metre x 160 metre south-westerly visibility splay would involve the removal of the vast majority of a roadside hedge that comprises indigenous species and makes a positive contribution to the character and appearance of the landscape. Whilst the applicant is willing to plant a replacement hedgerow to the rear of the proposed visibility splays, such a hedge would probably take some 20 years to grow to the same height as the existing hedgerow. The removal of this hedgerow would also make the proposed access track more visible from the Ross Road.
- 6.7 The site is within the 'Riverside Meadows' landscape type as defined in the Herefordshire Landscape character assessment. This landscape type is an important one defining much of the central parts of the County and is sensitive to change and easily degraded by inappropriate development.
- 6.8 Seasonally inundated riverside meadows (flood or water meadows) have a strong pastoral heritage typically used for grazing and hay production and valuable for a wide variety of flora and fauna. Modern land drainage and cropping techniques have resulted in a serious decline in the number of traditional meadows and where possible remaining grassland sites, whether permanent pasture or rotational ley, should be retained.
- 6.9 The landscape type has a strong linear character; however, the principal direction and form of linear features in the landscape is sinuous and following the natural channel of the watercourse. Riverside tree cover often reinforces this sinuous, meandering form. Fields are often defined by no more than a ditch and post and wire fence cutting at right angles from the river and terminating at the base of rising ground at the meadows edge. The change from riverside meadow to adjoining land in is usually distinct and clearly pronounced.
- 6.10 The view from the A449, when approaching from the south-west, is of a typical riverside meadow landscape; grassland, flat, with a strong sinuous linear watercourse emphasised by trees (alder and willow) and framed by rising ground to the east and west. The character of this landscape is also apparent when viewed from Orlham Lane. The fragility of this landscape is apparent when views the buildings and sports pitches to the north of the A449. In many respects this emphasises the need to safeguard those valuable riverside meadow landscapes that remain.
- 6.11 A long access track running parallel to the river is considered to be inappropriate and detrimental to the character of the area. It is considered that the only way that the access road could be satisfactorily integrated / assimilated into the landscape would be by undertaking appropriate landscaping. An example of such planting is attached as Annex 1. The Environment Agency has confirmed that they would not object to such appropriate planting that does not impede flood flow.
- 6.12 However, in this instance the applicant does not have control of any land to undertake appropriate landscaping. In addition, it should be noted that the agent for the applicant does not consider that any landscaping of the track is necessary. The agent for the applicant considers that the track will "grass over" only leaving tyre

tracks. However, given the location of the site in the flood plain and its use by motor vehicles its construction specification will need to be robust. Furthermore given that the site is not considered to be readily accessibly on foot, the track is likely to be regularly used by motor vehicles. As such, it is considered that the degree of "grassing over" is likely to be limited.

6.13 Whilst not part of the proposal under consideration, it is considered that allotments in such a remote location are likely to require the provision of equipment storage buildings. In this regard it should be noted that such buildings would not benefit from passive surveillance.

6.14 Therefore whilst there is a need for allotments in the Ledbury area, it is considered that in this particular case the environmental cost outweighs the need. It is considered that in the medium to long-term a more appropriate site may become available. Certainly through the preparation of the Development Allocations Development Plan Document the Ledbury Allotments Association could seek the allocation of land for allotment purposes.

RECOMMENDATION

That planning permission be refused on the following grounds:

1. **The proposed access track by virtue of its siting and extent would represent a visual intrusion into the riverside meadow landscape harmful to both its character and appearance. The absence of any landscaping scheme means that the track would not be satisfactorily assimilated/integrated into the landscape. Furthermore the loss of the roadside hedge to accomodate the required south-westerly visibility splay would harm the character and appearance of the landscape. As such the proposed development is considered to be contrary to policies S1, DR4, LA2 and RST1 of the Herefordshire Unitary Development Plan 2007.**
2. **The location of the proposed development is such that it would not be readily by modes of transport other than the private motor vehicle and bicycle. As such the proposed development is considered to be in an unsustainable location contrary to policies S1, S6, S8, DR2, DR3, T6 and RST1 of the Herefordshire Unitary Development Plan 2007.**

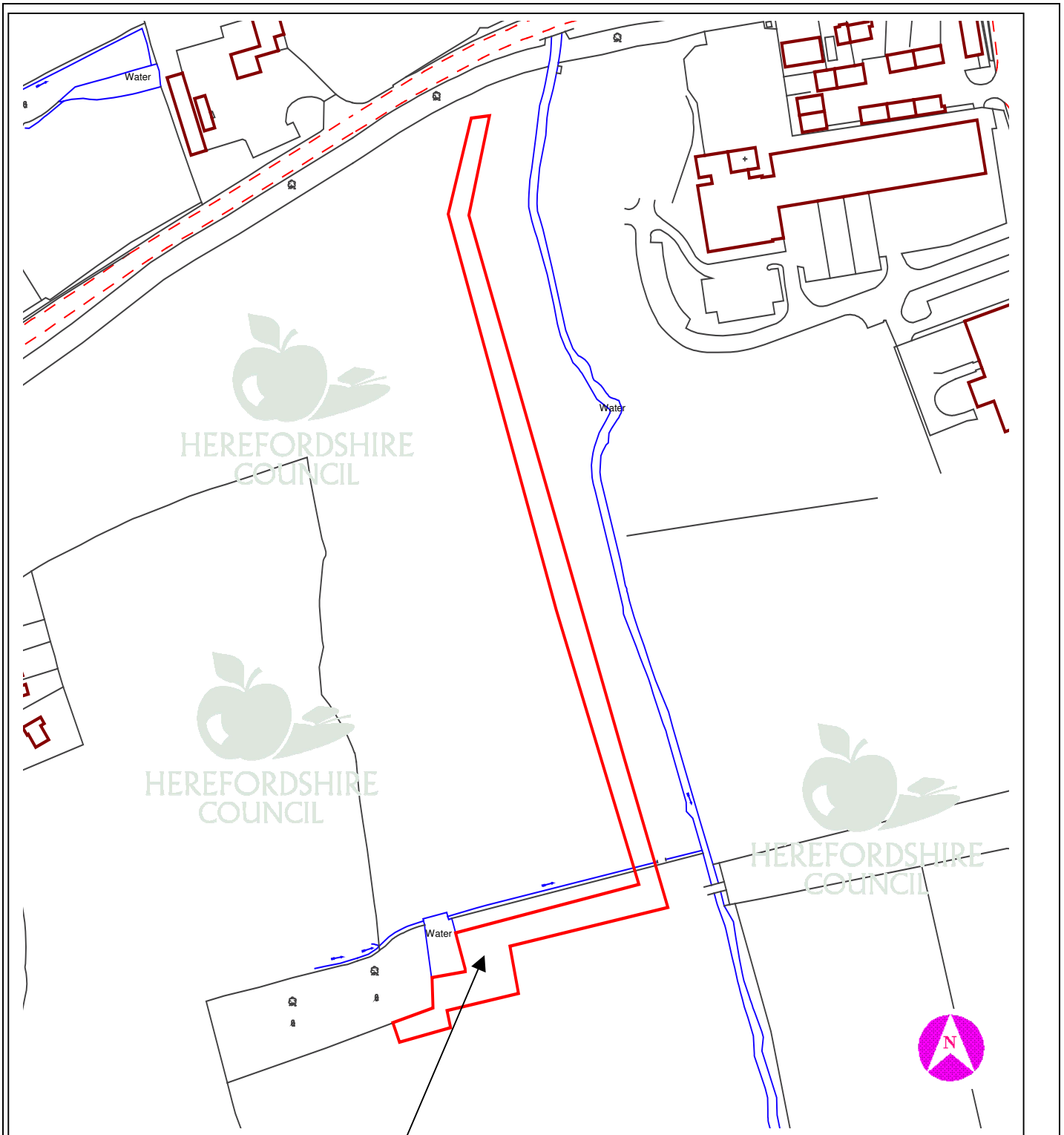
Decision:

Notes:

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Background Papers

Internal departmental consultation replies



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APPLICATION NO: DCNE2006/4018/F

SCALE : 1 : 2578

SITE ADDRESS : Field No's 0363 and 0824 off Ross Road, Ledbury (opp Rugby Club)

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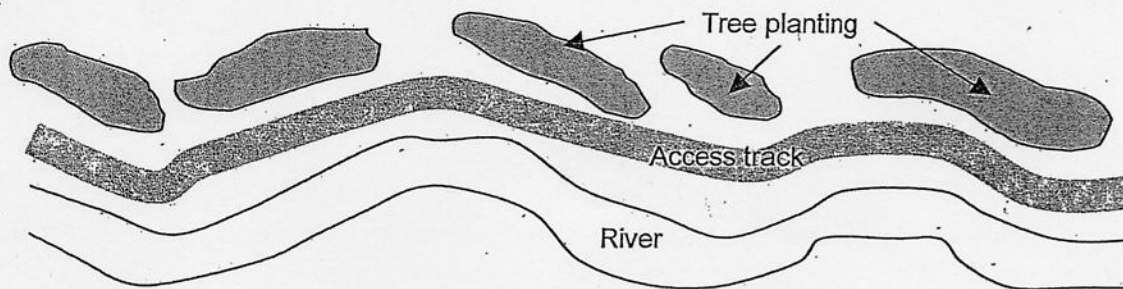
ANNEX 1

Ledbury Allotments Site

The following list is based on the National Vegetation Classifications (NVC) for Wet Woodlands (W1-7) and Lowland Mixed Broadleaf Woods (W8). The species listed below, with a dominance of Alder and Willow is likely to be appropriate in the situation under consideration.

- Alder (*Alnus glutinosa*) 40%
- White Willow (*Salix alba*) 15%
- Crack Willow (*Salix fragilis*) 10%
- Goat Willow (*Salix caprea*) 10%
- Grey Sallow (*Salix cinerea*) 10%
- Birch (*Betula pendula*) 5%
- Hawthorn (*Crataegus monogyna*) 5%
- Oak (*Quercus robur*) 5%

Planting should be in 'clumps' at least 30m long and 10-15m wide. Ultimately a meandering, near continuous woodland strip should be created, following the course of the adjacent river. Gaps in planting should either reflect areas where dense tree cover already exists or where a deliberate glade or access to the river is incorporated.



- ✓ Size: All plants to be 40-60cm 1+1 whips (the supplier will understand this description). Wherever possible, planting should be carried out with native, and preferably local, stock.
- ✓ Protection: All plants should be protected by 60cm spiral guards and supported by 90cm bamboo canes.
- ✓ Spacing: Planting should be varied, ideally random with spacing averaging one plant per 2m².

It may also be worth considering including additional climbers/shrubs in the planting scheme, as these will increase the value to wildlife and attractiveness of the wood. A ratio of 1 plant per 10m² is recommended.

- ✓ Species: Honeysuckle
Guelder Rose
Dog Rose

9 DCNC2007/0623/F - PROPOSED HOUSING DEVELOPMENT TO CREATE SIX DWELLINGS AT THE BUNGALOW, RYELANDS ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8PE

For: Mr & Mrs F Rooke

Date Received:
27th February 2007

Ward: Leominster South

Grid Ref:
49198, 58612

Expiry Date:
24th April 2007

Local Member: Councillors RBA Burke and JP Thomas

1. Site Description and Proposal

- 1.1 The application site lies to the north east of the junction off Ryelands Road and Mortimer Street.
- 1.2 The triangular site measuring 0.2 hectares is well within the established residential area of Leominster, with existing vehicular access being obtained off Ryelands Road and pedestrian access from Mortimer Street. The site has an overall increase in level of 4 metres, between Ryelands Road and Mortimer Street.
- 1.3 The proposal seeks to replace the existing bungalow with a terrace of 6 dwellings fronting Ryelands Road. The proposed terrace of houses will reflect the adjoining property, to the north east, Newman House in scale and size. Full on-site parking is provided in the proposal with vehicle access being obtained off Mortimer Street and 'level' pedestrian access being provided to the front doors of each property off Ryelands Road. Each property is proposed to have individual rear gardens, with 2 parking spaces. The surrounding area is characterised by a mix of detached and semi-detached dwellings.

2. Policies

2.1 Herefordshire Unitary Development Plan

S2 - Development Requirements
 S3 - Housing
 DR1 - Design
 DR3 - Land Use and Activity
 H13 - Sustainable Residential Design
 H15 - Density
 H16 - Car Parking

2.2 National Policies

Planning Policy Guidance Note 3: Housing
 Planning Policy Guidance Note 13: Transport

3. Planning History

3.1 None.

4. Consultation Summary

Statutory Consultations

4.1 Welsh Water recommends conditions relating to foul and surface water drainage be attached to prevent occupation of the proposed terrace houses prior to the completion of essential works scheduled for completion by 1st April 2008.

Internal Council Advice

4.2 Transportation Officer: Requested amended plans be submitted showing cycle parking. Amended plans have now been received showing lockers within the curtilage of each dwelling. The transportation is now satisfied with the proposal and raises no further objection to the proposal.

5. Representations

5.1 Leominster Town council - Recommends approval.

5.2 Two letters of objection have been received from the following:

- Mr D Himsworth, Rockleigh, Ryelands Road, Leominster
- Mrs L Mesham, Foxdales, Ryelands Road, Leominster

The points raised are summarised as follows:

- The proposal is over development of the site.
- The increase of vehicles and presence of people on such a small site will lead to noise pollution and loss of amenity to neighbours.
- Impact of proposed vehicular access in existing residents and Highway Safety,

5.3 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The main issues for consideration in this application are:

- The principle of the use of the site for scale of development
- Impact on highway safety
- Impact of amenities on neighbouring properties
- Design criteria.

Principle of Development

6.2 The site is within an established residential area of Leominster, as such the proposed development is acceptable in principle. Policy H15 of the Herefordshire Unitary Development Plan sets guideline densities for sites of one hectare or above. In the urban areas of Hereford and the market towns, housing developments will be expected

to achieve net overall densities of at least 30 dwellings per hectare. Therefore the proposed 6 terrace dwellings on the site are in line with policy H15.

Highway Safety

- 6.3 Letters of objection express concern at the proximity of the access to the site to the junction off Ryelands Road and Mortimers Street, and the increase in traffic that will result from the scheme. The Councils Highways Engineer was involved in preliminary discussion prior to the application. The issue of highway safety has been given particular attention during the consideration of this application. Having visited the site the Highways Officer is satisfied that the proposal is acceptable subject to the imposition of conditions.

Impact of Amenities of Neighbouring Properties

- 6.4 The impact on the neighbouring properties is also of particular concern. The main area of concern is the noise and disturbance caused to the neighbours by the generation of increase in motor vehicles along Mortimer Street and the proposed new access which will remove roadside parking for existing occupants of Mortimers Street. The dwelling most affected, would be the semi-detached properties to the south of the site, of which both have their own vehicular entrance and off road parking available. It is considered that given that parking is available for each of the proposed dwellings, the residential amenities of the surrounding dwellings will not be adversely affected.

Design

- 6.5 The scheme takes its architectural lead from the late Victorian/Edwardian terrace of 6 dwellings to the immediate north east of the site. The design, scale and layout all respect the context of the site, taking into account townscape and landscape character and topography. As such the proposal is considered acceptable in design terms. It is considered that the proposal achieves an appropriate design solution and in line with policy DR1 in the HUDP.

Conclusion

- 6.6 To conclude, the proposed development of 6 terrace dwellings in this residential area of Leominster is an acceptable form of development. The layout of the proposed development has been carefully considered to ensure the amenities of the neighbouring properties have been respected and that no undue impact on highway safety occurs.
- 6.7 It is therefore concluded that the development is acceptable in all aspects and accords with the relevant Development Plan Policies. Accordingly it is recommended that planning permission be approved.

RECOMMENDATION

That planning permission be approved with the following conditions:

- 1 A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 A09 (Amended plans)

Reason: To ensure the development is carried out in accordance with the amended plans.

3 B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

4 E16 (Removal of permitted development rights)

Reason: In order that the local planning authority can consider the impact of any further development on the site.

5 H02 (Single access – footway)

Reason: In the interests of highway safety.

6 H05 (Access gates)

Reason: In the interests of highway safety.

7 H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

8 H29 (Secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

9 None of the buildings hereby approved shall be occupied until essential improvements to the public sewerage system have been completed by Dwr Cymru Welsh Water, and the Local Planning Authority have been informed in writing of its completion. This work is schedule for completion by 1st April 2008.

Reason: To mitigate the existing hydraulic overloading of the public sewerage system and ensure the local community and environment are not unduly compromised.

10 Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the Public Sewerage System.

11 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 12 Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

Informatives

- 1 N15 (Reason(s) for the Grant of PP/LBC/CAC)

- 2 N19 (Avoidance of doubt)

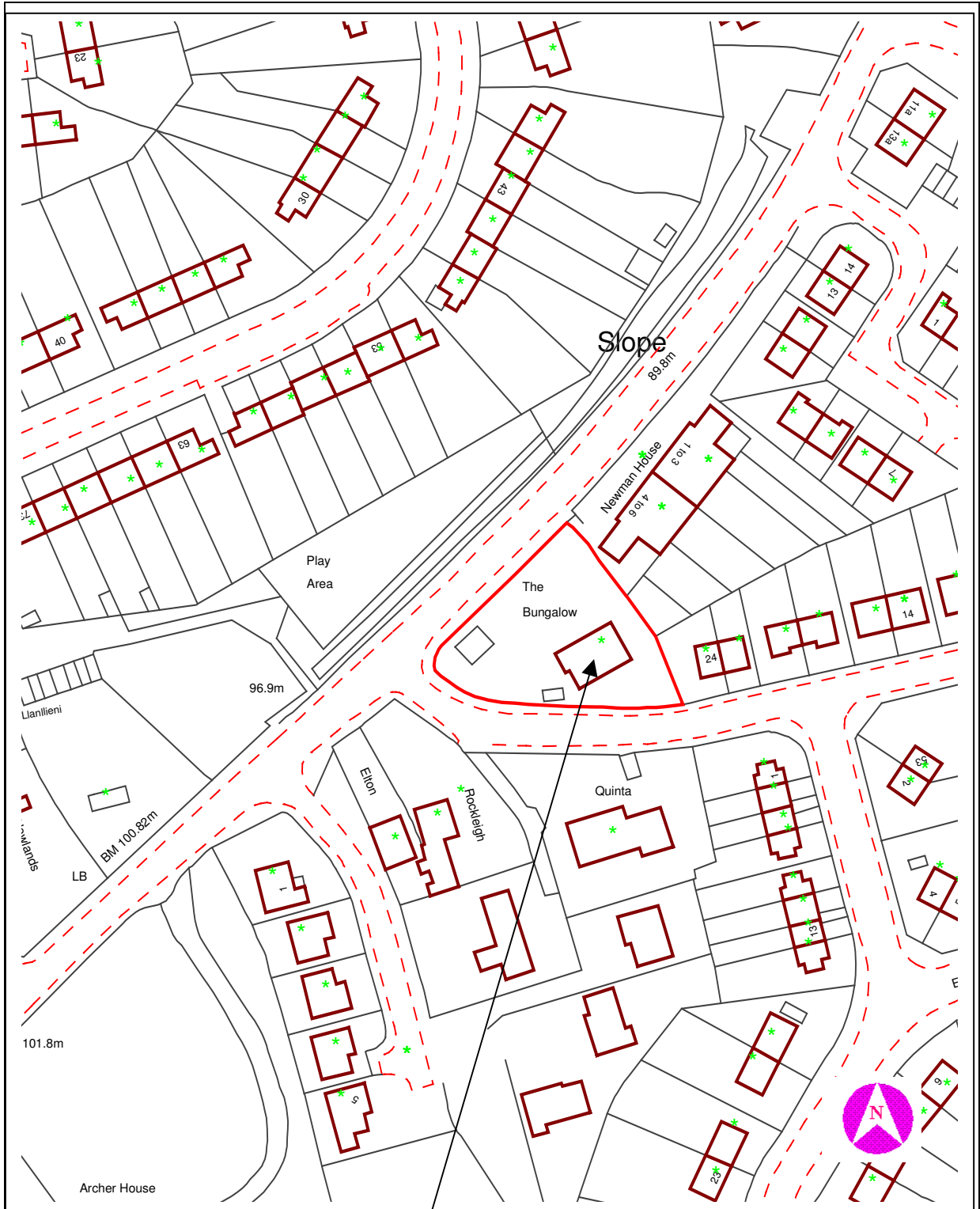
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2007/0623/F

SCALE : 1 : 1250

SITE ADDRESS : The Bungalow, Rylands Road, Leominster, Herefordshire, HR6 8PE

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10 DCNC2007/0715/F - CHANGE OF USE FROM STABLES TO DOG KENNELS FOR ANIMAL RESCUE CHARITY AT MEADOW BANK RIDING CENTRE, HAMNISH, LEOMINSTER, HEREFORDSHIRE, HR6 0QN

For: Mrs C Smith, Linton Design, 27 High Street, Bromyard, Herefordshire, HR7 4AA

Date Received:
6th March 2007

Ward: Leominster South

Grid Ref:
52631, 58610

Expiry Date:
1st May 2007

Local Members: Councillors RBA Burke & JP Thomas

1. Site Description and Proposal

- 1.1 This application relates to a redundant stable building that forms part of a larger group of agricultural buildings at Meadow Bank, Hamnish. It is a single storey painted brick structure that runs approximately north/south, lying to the north-east of the principal dwelling. Vehicular access is gained via an existing entrance to the north.
- 1.2 The application seeks to change the use of the building from stables to kennelling for dogs. The applicant intends to create a rescue facility for up to 12 dogs with a desire for them to be re-homed.
- 1.3 The applicant's agent has advised that the kennels will provide accommodation for a maximum of 12 dogs and that members of the public will be permitted to make visits on an appointment only basis.

2. Policies

- 2.1 Herefordshire Unitary Development Plan

E11 – Employment in the smaller settlements and open countryside
HBA12 – Re-use of rural buildings

3. Planning History

- 3.1 None relevant to this application.

4. Consultation Summary

Statutory Consultations

- 4.1 None required

Internal Council Consultations

- 4.2 Transportation Manager - No objections

4.3 Head of Environmental Health and Trading Standards - Comments as follows:

'I have some concerns regarding this application due to the potential for it to affect the amenity of the area and give rise to complaints from nearby residents, notably at the properties known as Colaba and Juniper. Although I have asked for additional information from the applicants agent regarding exercise areas, operating hours and the management of the kennels, the information provided is limited. As management of a business such as this greatly affects the noise emissions, I believe a temporary permission would be advisable in order that further consideration can be made to noise once the business is operational. Although there is the potential for noise from the proposed kennels, I am satisfied that with suitable conditions concerning a noise management scheme and the limiting the number of dogs kept on site the business can operate without detriment to the amenity of the area.

I would also query as to the ownership of the site as if the kennels are in separate ownership to Meadow Bank House, this would raise serious noise concerns due to the close proximity of residential accommodation not related to the kennels, I therefore believe a condition restricting the site of the kennels should be attached to the permission.'

5. Representations

5.1 Leominster Town Council - Recommends approval

5.2 Three letters of objection have been received from the following:

Mr & Mrs Young, Juniper, Hamnish
Mrs M. Fiello, 1A Meadow Bank Park, Hamnish
Mr P. Guest, Colaba Lodge, Hamnish

5.3 A petition with 15 signatories has also been received. In summary the points raised are as follows:

Concerns about increases in noise level.
Inappropriate mix of uses in close proximity to one another
The proposal will add traffic movements to an already over used and dangerous entrance.
Concerns about the lack of supervision of dogs that are already on site.

5.4 The full text of these letters can be inspected by appointment at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The comments of the Environmental Health Officer comprehensively cover the issue of noise and recommend a series of conditions that will properly cover the concerns that have been raised. The suggestion that a temporary permission be granted in the first instance is considered to be reasonable in order that a re-assessment of the situation can be made in light of any complaints that may or may not arise. It is suggested that a period of 18 months is granted in the first instance.

- 6.2 The suggestion of a mix of inappropriate uses is mentioned only in respect of the caravan park lying to the south of the application site. The comments above in relation to noise are equally as relevant in this respect.
- 6.3 In more general terms Meadow Bank also has a legitimate planning use as a riding school and associated equestrian matters pertaining to the manufacture and sale of equipment. This is not considered to conflict with the proposed use as a kennels.
- 6.4 The applicant's agent has confirmed the number of dogs to be kept at any one time and the method by which members of the public will be able to make visits. On such a small scale the proposal will not result in a demonstrable intensification of traffic movements in and out of the site to such a degree to make the application unacceptable in terms of highway safety. Accordingly the Transportation Manager does not object to the proposal.
- 6.5 It is therefore concluded that the application does accord with policy and it is recommended for approval on a temporary basis in the first instance.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 - E20 (Temporary permission)

Reason: To enable the local planning authority to give further consideration of the acceptability of the proposed use after the temporary period has expired.

- 2 - E15 (Restriction on separate sale)

Reason: It would be contrary to the policy of the local planning authority to grant consent for a separate dwelling in this location.

- 3 - F02 (Scheme of measures for controlling noise)

Reason: In order to protect the amenity of occupiers of nearby properties.

- 4 - The kennels shall accommodate a maximum of 12 dogs at any one time.

Reason: To define the terms of the permission and in the interests of residential amenity.

Informatives:

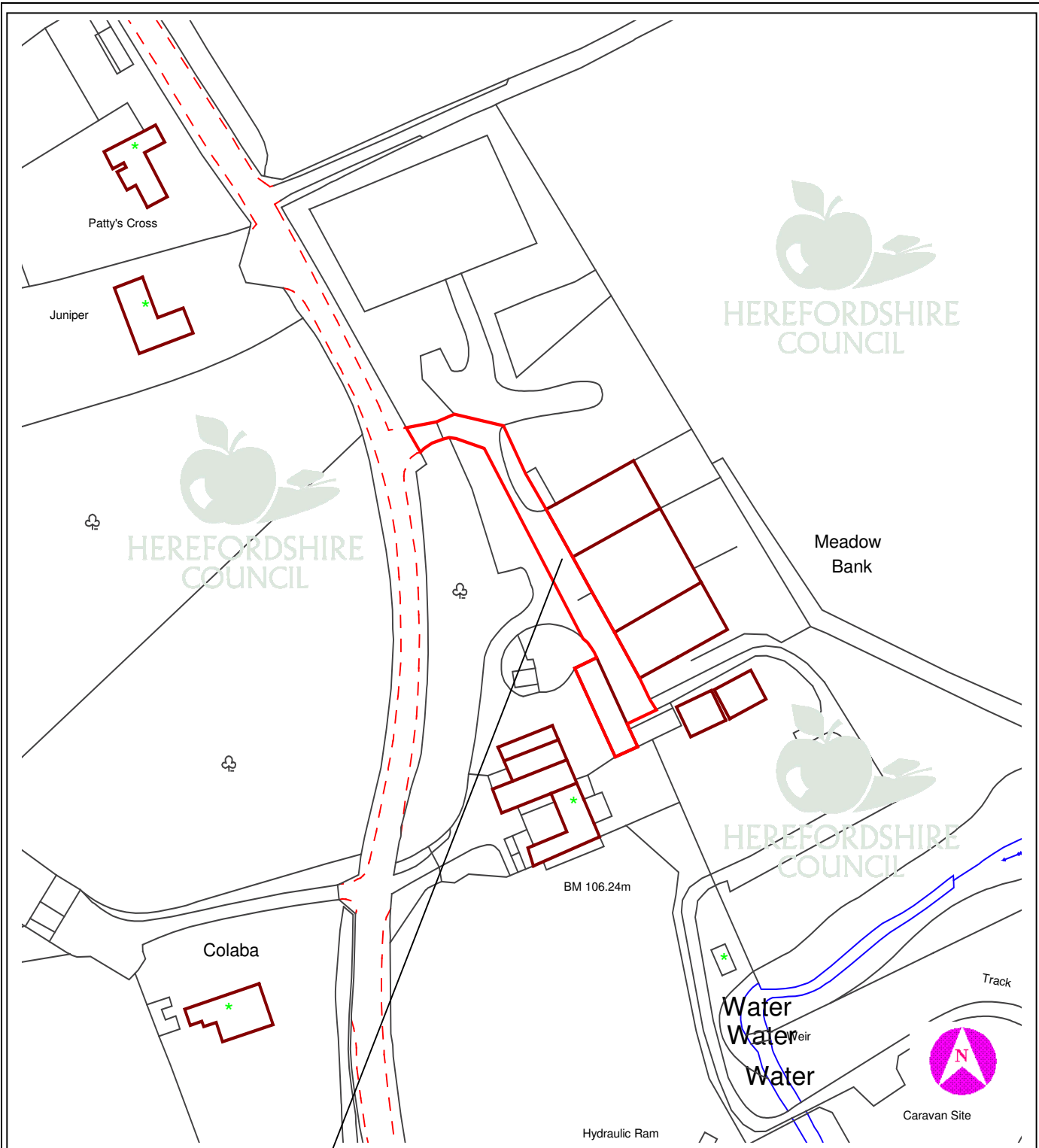
- 1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2007/0715/F

SCALE : 1 : 1250

SITE ADDRESS : Meadow Bank Riding Centre, Hamnish, Leominster, Herefordshire, HR6 0QN

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11 DCNC2007/0665/RM - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF 6 DWELLINGS AT DOWNES GARAGE, 70A, SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JF

For: Stephen Wicks Development Ltd, Stephen Funge Architectural Design Ltd, 38 Howard Close, Haynes, Bedfordshire, MK45 3QH

Date Received:
2nd March 2007

Ward: Leominster South

Grid Ref:
49555, 58738

Expiry Date:
27th April 2007

Local Members: Councillors RBA Burke & JP Thomas

1. Site Description and Proposal

- 1.1 The site is a yard to the rear of 70A South Street and has had a number of uses, the most recent being as a vehicle repair garage. It is accessed via an arched entrance onto South Street, and from this narrow alleyway opens out into a site measuring approximately 50 metres by 25 metres. A range of 19th and 20th century buildings currently occupy the site. With the exception of a large steel framed building, these are all single storey. The main range is aligned along the northern boundary while a former forge opposes it to the south.
- 1.2 The site is surrounded to the north, south and west by residential development. To the north and west this is in the form of 2 storey dwellings, whilst to the south are a number of bungalows.
- 1.3 The application is one of reserved matters and seeks to erect six dwellings. The plans show a main block of four towards the western boundary with two further units approximately positioned as per the range of single storey outbuildings on the northern boundary and the forge to the south. Both of these are shown to be single storey buildings whilst the block of four is predominantly two storey with a single storey hipped element to the southern gable end.
- 1.4 All of the buildings are to be finished in brick and slate with the exception of the wall below the hipped roof which is to be rendered. The units comprise three 3 bed, two 2 bed and one single bed. The plans indicate that 6 parking spaces will be provided and a shared cycle storage building located centrally within the site.
- 1.5 The application is supported by a report dealing with issues of contamination on the site and also by a structural report relating to the condition of the forge and its suitability for conversion. The latter concludes that the forge cannot reasonably or economically be repaired and suggests that it should be demolished and replaced with a new building.

2. Policies

2.1 Herefordshire Unitary Development Plan

DR1 – Design

H1 – Hereford and the market towns: settlement boundaries

H13 – Sustainable residential design

H16 – Car parking

HBA4 – Setting of listed buildings

3. Planning History

NC06/3546/RM – Demolition of existing buildings and construction of six dwellings – Refused 20/12/06 on design and amenity grounds.

NC06/2035/RM – Demolition of existing buildings and construction of six dwellings – Withdrawn

NC05/1075/O – Site for residential development – Approved – 07/09/05

4. Consultation Summary

Statutory Consultations

4.1 None required.

Internal Council Advice

4.2 Transportation Manager – Raises no objection to the application but recommends that cycle parking be provided individually for each unit within its curtilage.

4.3 Head of Environmental Health and Trading Standards - Notes that the reports accompanying the application reveal elevated levels of mercury and lead together with one elevated Total Petroleum Hydrocarbons (TPH) result. Limited numbers of samples were taken within the preliminary investigation and the report recommends that further investigations be made. It is recommended that an appropriately worded condition is attached to address this.

4.4 Conservation Manager – Does not raise an objection to the proposal in terms of its context with the listed building fronting onto South Street.

5. Representations

5.1 Leominster Town Council object to the scheme on the grounds of unacceptable access.

5.2 Welsh Water – Raise no objection to the proposal subject to the imposition of conditions.

5.3 Two letters of objection have been received in response to public consultation procedures from the following:

Mr & Mrs Jones, Rosedene, Aldermans Meadow

Mr & Mrs Rooke, Orchard End, Aldermans Meadow

In summary the points raised are as follows:

- a) The impact on the residential amenity to properties on Aldermans Meadow.
- b) Concerns relating to parking and highway safety at the site's junction with South Street.

5.4 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 In refusing the reserved matters application described above under application reference NC06/3546/RM, your officers were concerned with two specific matters. First that the design of the block of four units was unacceptable and second that its impact would be unacceptably detrimental to adjacent property by virtue of its close proximity and dominance.

Design

6.2 The design of the main block has been considerably simplified from the refused scheme. The omission of dormer windows, projecting gables and canopied porches from the front elevation have all assisted in giving the proposal a much simpler appearance that is far more reflective of the historic context in which it sits. The two single storey buildings have always been considered to be acceptable in design terms and did not form part of the refusal reason.

Subject to conditions relating to details of materials and windows the proposal is considered to accord with those policies concerning themselves with design issues.

Amenity

6.3 The design of the main block in the refused scheme saw it in excess of 7 metres and within 4 metres of the property known as Poppies, and a little more distant from another known as Orchard End. This was considered to be detrimental to the residential amenity of them as the block would have been unacceptably dominant and overbearing in relation to both.

The current application sees the introduction of the single storey hipped element closest to these two properties and whilst it remains within 4 metres in terms of proximity, its scale and bulk is significantly less. The height to its eaves, and the closest part to both Poppies and Orchard End is now 2.5 metres, with a roof sloping away to a maximum height of 6 metres. The site is slightly lower than the adjacent properties and the combined effect of all of these aspects is, in your Officer's opinion, a development that will not have an unacceptable impact on residential amenity.

The previous reason for refusal in terms of residential amenity has been satisfied and it is concluded that the scheme now accords with policy in this respect.

Highway Safety

- 6.4 The principle of development on this site has been accepted by the outline permission. The only means of vehicular access to it can only reasonably be achieved via the existing route onto South Street. This has not given rise to objection from the Transportation Manager and is considered to be acceptable.

It is therefore concluded that the proposal now accords with policy in all respects and it is therefore recommended for approval.

RECOMMENDATION

That the application for Reserved Matters be granted subject to the following conditions:

- 1 - A09 (Amended plans)**

Reason: To ensure the development is carried out in accordance with the amended plans.

- 2 - B01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings.

- 3 - C04 (Details of window sections, eaves, verges and barge boards)**

Reason: In the interests of visual amenity.

- 4 - C05 (Details of external joinery finishes)**

Reason: In the interests of visual amenity.

- 5 - G01 (Details of boundary treatments)**

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

- 6 - G02 (Landscaping scheme (housing development))**

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 7 - G03 (Landscaping scheme (housing development) - implementation)**

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

- 8 - H27 (Parking for site operatives)**

Reason: To prevent indiscriminate parking in the interests of highway safety.

9 - Notwithstanding the plans hereby approved and before development commences, details of the provision of secure cycle storage within the curtilage of each dwelling shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is adequate provision for secure cycle accommodation for each of the dwellings, encouraging alternative modes of transport in accordance with both local and national planning policy.

Informative:

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

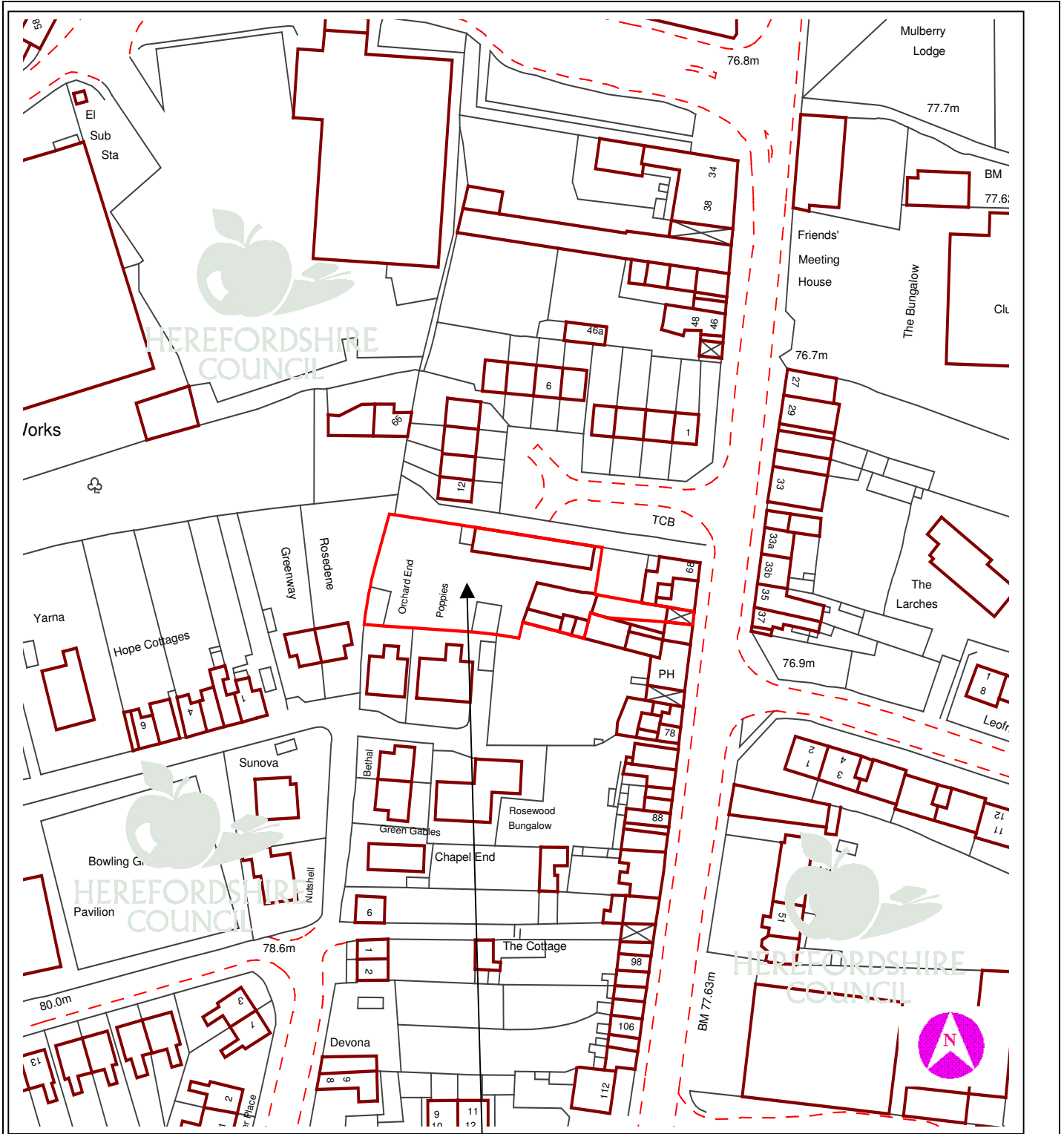
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNC2007/0665/RM

SCALE : 1 : 1250

SITE ADDRESS : Downes Garage, 70A, South Street, Leominster, Herefordshire, HR6 8JF

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12 DCNC2007/0861/F - PROPOSED SINGLE STOREY EXTENSION TO PROVIDE ADDITIONAL BEDROOM ACCOMMODATION AT THE FORBURY RESIDENTIAL HOME, CHURCH STREET, LEOMINSTER, HEREFORDSHIRE.

For: Mr C Lutton per Mr N La Barre, Easters Court, Leominster, Herefordshire, HR6 0DE

Date Received:
16th March 2007

Ward: Leominster South

Grid Ref:
49726, 59185

Expiry Date:
11th May 2007

Local Members: Councillors RBA Burke & JP Thomas

1. Site Description and Proposal

- 1.1 The Forbury comprises a Grade II Listed Building located on Church Street, in the town centre of Leominster, within the Leominster Conservation Area.
- 1.2 The property comprises a red brick Georgian town house, which was converted to a residential home some 25 years ago, and has benefited from further extensions and alterations since then.
- 1.3 The proposal seeks planning permission to construct an additional three bedrooms on to an existing extension in order to help meet current demand within the County for this type of residential accommodation.
- 1.4 The proposed extension would be approximately 12 metres in length, (Plus 2.2 metres for an external doorway) and approximately 7.4 metres in width and will have a ridge height of 4.3 metres.

2. Policies

- 2.1 Herefordshire Unitary Development Plan:

S11 - Community facilities and services
 E6 - Expansion of existing businesses
 H18 - Alterations and Extensions
 HBA1 - Alterations and extensions to Listed Buildings
 HBA4 – Setting of Listed Buildings
 HBA6 - New development within Conservation Areas
 CF7 - Residential nursing care homes

3. Planning History

- 3.1 NC2001/2117/F: Extension to form ground floor laundry room, approved.

- 3.2 NC2001/2118/L: Extension to form ground floor laundry room, formation of en-suite bathroom, external alterations, approved.
- 3.3 NC2002/1601/F: Relocate laundry, increase size of proposed extension, approved.
- 3.4 NC2002/1602/L: Relocate laundry, increase size of proposed extension, approved.
- 3.5 NC2004/0569/F: First floor bedroom extension, single storey ground floor extension, approved.
- 3.6 NC2004/0571/L: First floor bedroom extension, single storey ground floor extension, approved.

4. Consultation Summary

Statutory Consultations

- 4.1 English Heritage: No objection.

Internal Council Advice

- 4.2 Transportation: No objection.
- 4.3 Conservation: No objection.
- 4.4 Archaeological Advisor: No objection.

5. Representations

- 5.1 Town Council: No objection
- 5.2 In response to the proposal 3 objections have been received, the details of which are summarised below:

Leominster Civic Society: Object to the proposal on the basis that it would:

- Result in overdevelopment of the site
- Damage the setting of the Listed Building
- Would permanently reduce the available garden space for residents
- Cause further disturbance with the ongoing works on site

Commander & Mrs Patrick Titley, Priory End, School Road: Object to the proposal on the basis that it would:

- Be damaging to the Conservation Area,
- Not be in keeping with the locality,
- Result in overdevelopment of the site,
- Have a 'disastrous' visual impact on their property
- Cause overlooking.

Mr and Mrs Sampson, 18 Church Street: Object to the proposal on the basis that it would:

- Be visually harmful to this part of Leominster
- Be disruptive and unsightly during construction – recommend time limits on construction to minimise this harm.
- Reduction of amenity area to residents of home

The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The key considerations in determining this application are as follows:

- Setting of Listed Building and Conservation Area
- Impact on amenity to neighbouring residents

Setting of Listed Building and Conservation Area

6.2 The Leominster Civic Society and local residents have objected to the proposal on these grounds.

Whilst The Forbury has been subject to previous extensions, it is considered that this proposal represents only a modest addition, being approximately 12 metres in length and approximately 7.4 metres in width, which in its context, even when looked at cumulatively would be subservient to the original Listed Building.

Its location, being attached to the existing single storey extension at the rear of the main house would result in the formation of a courtyard. It is the opinion of your officer that this would not be dissimilar in appearance to buildings and courtyards found within similar contexts and therefore considers it to be complementary to the setting.

There has been no objection raised in principle to this development by the Council's Conservation Architect. Conditions relating to construction details, materials and landscaping have been recommended to ensure that the resultant building will be keeping with the appearance of the Forbury and to its locality.

Residential Amenity

6.3 There are no windows proposed in the extension that would be facing the neighbouring properties and this will ensure a level of privacy for residents of the Forbury and its neighbours.

In terms of its affect on the amenity of neighbours the officer also considers that given the use of the accommodation for bedrooms, and the associated low levels of activity by residents and staff that would result, this proposal presents no risk to neighbours in terms of noise or other disturbance.

6.4 Conclusion

Whilst acknowledging the concerns of those that have objected to this application, a balance must be struck between these objections and the benefit of supporting the growth of a community facility that helps to maintain the provision of residential care for its members. Overall, it is considered that this proposal does not represent a risk to the amenity of neighbours or would appear to have an adverse impact upon the

setting of the Listed Building or the Conservation Area and as such is considered to accord with the relevant development plan policies

A conditional planning permission is therefore recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 - B01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings.

3 - C05 (Details of external joinery finishes)

Reason: To safeguard the character and appearance of this building of [special] architectural or historical interest.

4 - D01 (Site investigation - archaeology)

Reason: To ensure the archaeological interest of the site is recorded.

5 - E10 (Use restricted to that specified in application)

Reason: To suspend the provisions of the Town and Country Planning (Use Classes) Order currently in force, in order to safeguard [.....].

6 - E18 (No new windows in specified elevation)

Reason: In order to protect the residential amenity of adjacent properties.

7 - G02 (Landscaping scheme (housing development))

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

8 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area.

9 - H29 (Secure cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

10 - H30 (Travel plans)

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives.

INFORMATIVES:

1 - N15 - Reason(s) for the Grant of PP/LBC/CAC

2 - HN25 - Travel plans

3 - N19 - Avoidance of doubt

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.

